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By-Laws of Woburn - 1948

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BY-LAWS
OF THE
TOWN OF WOBURN,

AS

Passed by Votes of the Town,

March 6 and April 17, 1848,

AND

APPROVED BY

THE COURT OF COMMON PLEAS,

AT

THE JUNE TERM, 1848.

~~~~~  
BOSTON:

J. HOWE, PRINTER, 39 MERCHANTS ROW.

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1848.



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## **Commonwealth of Massachusetts.**

### **Middlesex, ss.**

At a Court of Common Pleas, begun and holden at Concord, within and for the County of Middlesex, on the second Monday of June, being the twelfth day of said month, Anno Domini, 1848—

And now in this term a document is presented to the Court, in the words following, viz :

“ At a legal meeting of the inhabitants of the Town of Woburn, holden at the Town Hall, in said Woburn, on Monday, March 6, 1848, for the purposes among other objects, of acting upon the following articles, viz :

#### **ARTICLE XIII.**

“ To see if the Town will make any By-laws concerning the regulating, or restraining of dogs going at large within the town, according to the power given to towns in the 58th Chapter of the Revised Statutes of the Commonwealth of Massachusetts.”

#### **ARTICLE XV.**

“ To see if the town will do any thing in relation to making By-laws thereon.”

“ On Article 13th, Voted, that the following By-laws in relation to the regulating the restraining of dogs, be passed.” (See Art. viii.)



"On Article 15th, Voted, that a Committee of three be chosen, to prepare a code of By-laws for this town, and present the same at the April meeting. Chose ALBERT H. NELSON, OLIVER R. CLARK, and CYRUS THOMPSON."

And at a legal meeting of said inhabitants, holden at same place, on Monday, 17th day of April, 1848, for the purpose, among other objects, of acting upon the following article, viz :

To hear the Report of the Committee, appointed at their March meeting, to draft By-laws, and act thereon.

"Voted, to establish the By-laws reported by the Committee as the By-laws of this town, and that the chairman of the Committee present the same to the Court of Common Pleas, for their acceptance."

"Voted, That the By-laws established by the town at a March meeting, in relation to the licensing and restraining of dogs, be presented with those this day adopted, to the Court of Common Pleas"

Attest.

N. WYMAN, JR., *Town Clerk.*

**BY-LAWS**  
**OF THE**  
**TOWN OF WOBURN,**  
**Passed March 6 and April 17, 1848.**

**ARTICLE I.**

**NOTIFICATION OF TOWN MEETINGS.**

A written or printed copy of every warrant for a town meeting, attested by the officer, or person to whom it is directed, shall be posted up at each of the public meeting houses within the town, seven days at least before the time named therein for holding said meeting.

**ARTICLE II.**

**FINANCIAL CONCERNS OF THE TOWN.**

**SECTION 1.** The financial year shall begin on the first day of February, and end on the last day of January; and it shall be observed in all cases, and by all persons, in making and settling contracts with the town, (except in contracting with a master of the work house, whose year shall commence on the first day of April.)

**SECT. 2.** No money, (except State and County Taxes, and interest on Town debts,) shall be paid by the Town Treasurer, without a written or printed warrant for the same, signed by the Selectmen, or a major part of them.

## ARTICLE III.

## TAXES.

SECTION 1. All Taxes shall be assessed and committed to the collector or collectors, on or before the first day of July in each year, excepting in the year in which a new valuation shall be taken, (then as soon as may be,) and the tax bills shall be delivered by the collector or collectors, within fourteen days after such commitments.

SECT. 2. The taxes of all persons upon whom a poll tax only, is assessed, shall be paid on or before the first day of August, in each year; and all other taxes shall be payable in fourteen days after a bill of the same shall have been presented to any person taxed, or his agent, or to the tenant of any non-resident proprietor of property taxable in the town, or left at his usual place of abode or business; and interest of six per centum per annum from the time when the same were payable, shall be charged and collected on all taxes not paid on the first day of October in each year. Provided that nothing in this section shall prevent the Assessors, in case of doubtful credit, from exercising the powers given them in the twelfth section of the eighth chapter of the Revised Statutes.

SECT. 3. The delivery of a tax bill as directed in the preceding section, shall in all cases be deemed a demand for the payment of the tax.

SECT. 4. Every collector shall pay over to the Town Treasurer all taxes by him collected, (except County tax,) at least *once* in each month, until the collection is completed.

SECT. 5. Every collector shall complete and make up an account of the collection of all taxes committed

to him, and present the same to the Selectmen for settlement, on or before the first day of December, in each year.

#### ARTICLE IV.

DISALLOWED BY THE COURT OF COMMON PLEAS.

#### ARTICLE V.

HIGH WAYS AND STREETS.

SECTION 1. No building more than twelve feet high shall be moved over any public road or way, in this town, without a written permit from the Selectmen being first obtained; and any person who shall not comply with such restrictions as the Selectmen shall think public security requires them to set forth in any permit, shall forfeit and pay for every such offence the sum of ten dollars: Provided that the Selectmen shall, in no case, grant permit for the removal of any building whatsoever, which in the course of its removal will be likely to destroy or damage any trees or shrubs, the property of individuals, whether standing in the road or in the fields, unless the consent of such individuals is first had and obtained.

SECT. 2. In case any building shall be removed, contrary to the provisions of the first section, the owner of the building shall reimburse the town all expense by the way of damage or otherwise, which the town may be compelled to pay by reason of the road being obstructed or incumbered.

SECT. 3. The Selectmen may grant permits to any persons to build side walks in front of their own land, on any of the Streets or ways in the town, wherever the public safety will permit; which permits shall specify the widths and mode of constructing the same.

SECT. 4. No person shall put or cause to be put in any of the Streets, or on any of the common lands, or

other public places, in this town, and leave the same to remain, without license from a surveyor of the highways, any manure, dirt, or rubbish of any kind whatever, under a penalty not exceeding ten dollars.

**SECT. 5.** Any person who shall kindle any bonfire, or other fire, on the high ways or common lands, or on any other lands not his own, without leave of the Selectmen, or of the owners of said lands, shall forfeit and pay a fine not exceeding ten dollars, for every such offence.

**SECT. 6.** Whenever complaint shall be made to the Selectmen that the practice of coasting on any of the streets or side walks in the town has become dangerous to the public safety, they may, if they shall judge it expedient, post up a notice in some conspicuous place on the side or corner of any such street or side walk, forbidding all persons to coast upon the same; and if any person shall be found coasting on the same, after the posting of such notice, he shall forfeit to the use of the town, a sum not less than one dollar, nor more than five dollars, for every such offence, to be recovered of the offender, or his parents or guardian.

## **ARTICLE VI.**

### **THE WORK HOUSE.**

**SECTION 1.** The building lately erected by the town shall be a work house, for all the purposes mentioned in the sixteenth and one hundred and forty-third chapters of the Revised Statutes, of the Commonwealth of Massachusetts.

**SECT. 2.** It shall be the duty of the Directors of the said work house, or the Overseers of the Poor, (as the case may be,) to hire a suitable person to act as master of said house, and to furnish, or cause to be fur-

nished all necessary supplies for the support of the same, and all proper facilities for employing all persons who may be lawfully committed to the same, at the expense of the town.

SECT. 3. It shall be the duty of the master to receive all persons who may be lawfully committed to said work house; and to set them to work, (if able,) and govern them according to the rules which are, or may be lawfully established for that purpose.

SECT. 4. That good order may be preserved, and that said work house may not become a *lounging* place for idlers on Sunday, all persons are forbidden to visit the same on that day of the week without permit from the master, or one of the directors or overseers, (as the case may be.) Provided that nothing in this section shall be so construed as to prevent any minister of the gospel in town from attending, to give religious instruction on that day of the week.

SECT. 5. No inmate of the house, (excepting the master or his assistants,) shall be allowed to keep or use friction matches.

SECT. 6. All persons are hereby prohibited furnishing any inmate of said house with intoxicating drinks, except by direction of the regular physician of the same; and any person offending against the provisions of this section, shall forfeit ten dollars to the use of the town for every such offence.

## ARTICLE VII.

### SCHOOLS.

SECTION 1. If any scholar in either of the schools of this town, shall be guilty of disorderly conduct in school, it shall be the duty of the teacher to report the case to the superintending school committee of the town; and, if after having been admonished by one or

more of said committee, such disorderly conduct shall be persisted in, said committee may suspend any such disorderly scholar from attending any town school until they shall receive satisfactory assurance of the future good conduct of the offender.

## ARTICLE VIII.

### DOGS.

SECTION 1. The Selectmen of the town of Woburn for the time being, may grant to such persons residing in said town, as shall apply for the same, licenses to keep dogs for one year, on such applicants paying two dollars to the Treasurer of the town, for each dog licensed.

SECT. 2. It shall be the duty of the Selectmen to keep a record of all such licenses, which shall contain the name of the person to whom, and the date when given; and it shall be the duty of the Treasurer to enter all sums by him received for such licenses, in his book to the credit of the town, with the name of the persons paying for them.

SECT. 3. Any owner or keeper of any dog, within the limits of the town, who shall suffer the same to go at large without first obtaining a license, as provided for in the preceding sections, shall forfeit ten dollars to the use of the town for every such offence, to be recovered as directed in the thirteenth section of the fifteenth chapter of the Revised Statutes.

SECT. 4. This By-law shall take effect from and after the first day of April next.

## ARTICLE IX.

### POLICE.

SECTION 1. There shall be annually appointed by the Selectmen, six suitable, discreet and efficient persons as police officers, who shall hold their offices for

one year from the date of their appointment, unless sooner removed by the Selectmen, and who shall receive such pay as the Selectmen shall order, whose duty it shall be to superintend the police of the town, and to notice all offences against the By-laws of the town and the statutes of the Commonwealth, and to cause prosecution to be commenced forthwith against all offenders.

And it is particularly enjoined upon the police officers to complain of all idle and disorderly boys who mispend their time, and do not attend school, but who are in the streets without employment during school hours; also all who congregate together in the streets, or otherwise disturb the peace.

Also, all persons who assemble together in the streets on Sundays, to the annoyance of peaceable citizens, or who lounge about the doors and entrances of churches and other places in which public meetings are held; and either there or within said churches or places shall by noise, or in any way wilfully disturb said meeting.

SECT. 2. All persons congregating together in a disorderly manner, as mentioned in the preceding section, who shall not disperse when ordered to do so by the police officers, shall severally forfeit ten dollars to the town for every such offence.

SECT. 3. It shall be the duty of said officers from time to time, to pass through the streets and visit the various public places in the town, to notice all offences against the By-laws of the Town and Laws of the Commonwealth, taking the names of the offenders, to the end that the same may be prosecuted.

SECT. 4. All prosecutions for the breach of these By-laws shall be commenced within thirty days from the time the offence was committed, or the offender discovered.



**SECT. 5.** All fines imposed for a breach of any of the By-laws of the town, shall be paid over to the Town Treasurer, for the use of the town.

A true Copy from the Records,

Attest,      N. WYMAN, JR., *Town Clerk.*

The Court having seen and understood the foregoing Code of By-laws, order that the same be, and hereby are approved, except the first Section of Article 4, which is disallowed.

Attest,

E. PHINNEY, *Clerk.*

Copy of Record.

Attest,

E. PHINNEY, *Clerk.*







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By-laws of the town of Woburn,

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